

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. 04-10111-MEL
)	
v.	)	VIOLATIONS:
	)	21 U.S.C. § 841(a)(1) --
1. JERMAINE ANDERSON,	)	Distribution of Cocaine
a/k/a "TONY,"	)	Base
)	
2. ALRED G. RYAN and	)	21 U.S.C. § 846 --
	)	Conspiracy to Distribute
3. COREY SMITH,	)	Cocaine Base
a/k/a "BLACK" and)	
"BLACKIE,"	)	21 U.S.C. § 860(a) - School
	)	Zone Violation
Defendants.)	
	)	18 U.S.C. § 2 --
	)	Aiding and Abetting

SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury charges that:

On or about October 2, 2003, at Boston, in the District of Massachusetts,

1. JERMAINE ANDERSON, a/k/a "TONY,"

defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a).

COUNT TWO: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about October 2, 2003, at Boston, in the District of Massachusetts,

1. JERMAINE ANDERSON, a/k/a "TONY" and
3. COREY SMITH, a/k/a "BLACK" and "BLACKIE",

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about October 7, 2003, at Boston, in the District of Massachusetts,

1. JERMAINE ANDERSON, a/k/a "TONY" and
3. COREY SMITH, a/k/a "BLACK" and "BLACKIE",

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a), and Title 18, United States Code, Section 2.

COUNT FOUR: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury further charges that:

On or about October 9, 2003, at Boston, in the District of Massachusetts,

3. **COREY SMITH, a/k/a "BLACK" and "BLACKIE,"**
defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a).

COUNT FIVE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury further charges that:

On or about October 9, 2003, at Boston, in the District of Massachusetts,

1. JERMAINE ANDERSON, a/k/a "TONY"

defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a).

COUNT SIX: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation)

The Grand Jury further charges that:

On or about November 6, 2003, at Boston, in the District of Massachusetts,

1. JERMAINE ANDERSON, a/k/a "TONY,"

defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a).

COUNT SEVEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about November 19, 2003, at Boston, in the District of Massachusetts,

1. JERMAINE ANDERSON, a/k/a "TONY" and
3. COREY SMITH, a/k/a "BLACK" and "BLACKIE",

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a), and Title 18, United States Code, Section 2.

COUNT EIGHT: (21 U.S.C. § 846 -- Conspiracy to Distribute Cocaine Base)

The Grand Jury further charges that:

Beginning at least on or about November 20, 2003, and continuing through at least on or about November 22, 2003, at Boston, in the District of Massachusetts,

2. FRED G. RYAN and
3. COREY SMITH, a/k/a "BLACK" and "BLACKIE,"

defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree with each other to possess with intent to distribute, and to distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

The Grand Jury further charges that the aforesaid offense involved five grams or more of a mixture or substance containing a detectable amount of cocaine base, also known as "crack." Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(iii) is applicable to this offense.

All in violation of Title 21, United States Code, Section 846.

COUNT NINE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- Playground Zone Violation)

The Grand Jury further charges that:

On or about November 20, 2003, at Boston, in the District of Massachusetts,

3. COREY SMITH, a/k/a "BLACK" and "BLACKIE," defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the Little Scobie Playground.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a).

COUNT TEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 21 U.S.C. § 860(a) -- School Zone Violation; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about November 22, 2003, at Boston, in the District of Massachusetts,

2. ALFRED G. RYAN and
3. COREY SMITH, a/k/a "BLACK" and "BLACKIE,"

defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, a quantity of cocaine base, also known as "crack," a Schedule II controlled substance, within 1,000 feet of the real property comprising the George A. Lewis School, a public middle school.

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860(a), and Title 18, United States Code, Section 2.

Notice Of Additional Factors

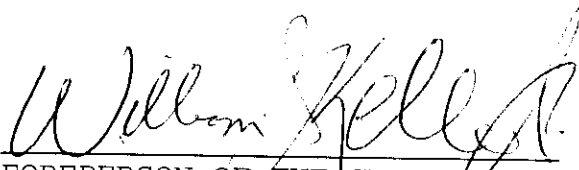
The Grand Jury further charges that:

1. Defendant Jermaine Anderson, a/k/a "Tony," is responsible for at least 5, but less than 20, grams of cocaine base, also known as "crack" cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) applies to this defendant.

2. In connection with Counts Eight and Ten, and relevant conduct as described in U.S.S.G. § 1B1.3, defendant Alfred G. Ryan is responsible for at least 5, but less than 20, grams of cocaine base, also known as "crack" cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) applies to this defendant.

3. Defendant Corey Smith, a/k/a "Black" and "Blackie," is responsible for at least 5, but less than 20, grams of cocaine base, also known as "crack" cocaine. Accordingly, U.S.S.G. § 2D1.1(c)(7) applies to this defendant.

A TRUE BILL


FOREPERSON OF THE GRAND JURY


ASSISTANT U.S. ATTORNEY

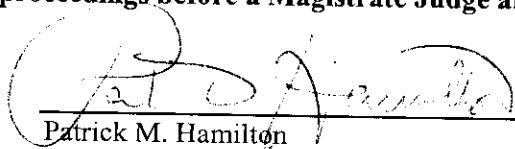
DISTRICT OF MASSACHUSETTS: October 28, 2004

Returned into the District Court by the Grand Jurors and
filed.


DEPUTY CLERK

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. X Case No. 04-10111-MEL
Same Defendant X New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Jermaine Anderson Juvenile: ☐ Yes ☒ NoAlias Name TonyAddress 16 Rockland Street, Roxbury, MABirthdate: 1982 SS # - 7756 Sex: Male Race: African-American Nationalit USDefense Counsel if known: Walter Underhill Address 66 Long WharfBar Number _____ Boston, MA 02110**U.S. Attorney Information:**AUSA Patrick M. Hamilton Bar Number if applicable _____Interpreter: Yes ☒ No ☐ List language and/or dialect: _____Matter to be SEALED: Yes ☒ No ☐Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date April 15, 2004☒ Already in Federal Custody as of April 15, 2004 in Plymouth☐ Already in State Custody Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty ☐ Misdemeanor ☒ Felony 6

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: October 28, 2004Signature of AUSA: 

Patrick M. Hamilton

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Jermaine Anderson

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §§ 841(a)(1) and 860</u>	<u>Distribution of cocaine base in a school zone</u>	<u>1, 2, 3, 5, 6 & 7</u>
Set 2	<u>18 U.S.C. § 2</u>	<u>Aiding and abetting</u>	<u>2, 3 and 7</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. X Case No. 04-10111-MEL
Same Defendant X New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Alfred G. Ryan Juvenile: ☐ Yes ☒ No

Alias Name _____

Address 25 Perrin Street, #1, Roxbury, MABirthdate: 1973 SS # -0573 Sex: Male Race: African-American Nationalit USDefense Counsel if known: John Amabile Address 197 Portland StreetBar Number _____ Boston, MA 02114**U.S. Attorney Information:**AUSA Patrick M. Hamilton Bar Number if applicable _____Interpreter: Yes ☒ No ☐ List language and/or dialect: _____Matter to be SEALED: Yes ☒ No ☐Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**

Arrest Date _____

X Already in Federal Custody as of 4/21/04 in Plymouth

Already in State Custody _____ Serving Sentence _____ Awaiting Trial _____

☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ X Felony 2

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: October 28, 2004

Signature of AUSA: _____

Patrick M. Hamilton

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Alfred G. Ryan

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 846</u>	<u>Conspiracy to distribute cocaine base</u>	<u>8</u>
Set 2	<u>21 U.S.C. §§ 841(a)(1) and and 860</u>	<u>Distribution of cocaine base in a school zone</u>	<u>10</u>
Set 3	<u>18 U.S.C. § 2</u>	<u>Aiding and abetting</u>	<u>10</u>
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set	_____	_____	_____
Set	_____	_____	_____
Set	_____	_____	_____
Set	_____	_____	_____
Set	_____	_____	_____
Set	_____	_____	_____

ADDITIONAL INFORMATION: _____

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency DEACity Boston**Related Case Information:**County SuffolkSuperseding Ind./ Inf. X Case No. 04-10111-MELSame Defendant X New Defendant _____

Magistrate Judge Case Number _____

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:Defendant Name Corey Smith Juvenile: ☐ Yes ☒ NoAlias Name Black and BlackieAddress 81 Moreland Street, #2, Roxbury, MABirthdate: 1982 SS # - 6642 Sex: Male Race: African-American Nationalit USDefense Counsel if known: Michael Bourbeau Address 77 Central Street, 2nd FloorBar Number _____ Boston, MA 02109**U.S. Attorney Information:**AUSA Patrick M. Hamilton Bar Number if applicable _____Interpreter: Yes ☐ No ☒ List language and/or dialect: _____Matter to be SEALED: Yes ☒ No ☐Warrant Requested ☒ Regular Process ☐ In Custody ☐**Location Status:**

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody _____ Serving Sentence ☐ Awaiting Trial☒ On Pretrial Release: Ordered by: USMJ Collings on 4/26/04 to Spectrum HouseCharging Document: Complaint ☐ Information ☐ Indictment ☒Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 8

Continue on Page 2 for Entry of U.S.C. Citations

☐ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: October 28, 2004

Signature of AUSA: _____

Patrick M. Hamilton

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Corey Smith

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. §§ 841(a)(1)</u> <u>and 860</u>	<u>Distribution of cocaine base in a school zone</u>	<u>2, 3, 4, 5, 7 & 10</u>
Set 2	<u>21 U.S.C. §§ 841(a)(1)</u> <u>and 860</u>	<u>Distribution of cocaine base in a playground zone</u>	<u>9</u>
Set 3	<u>21 U.S.C. § 846</u>	<u>Conspiracy to distribute cocaine base</u>	<u>8</u>
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____